

used for purchase of the good or service upon successful delivery of the good or service pursuant to the contract. In such case, sufficient funds shall remain available to cover any remaining termination liability.

(c) Limitations

(1) Contracts entered into under this section shall not exceed 10 years in duration.

(2) Such contracts shall provide for delivery of the good or service on a firm, fixed price basis.

(3) To the extent practicable, reasonable performance specifications shall be used to define technical requirements in such contracts.

(4) In any such contract, the appropriate Administrator shall reserve the right to completely or partially terminate the contract without payment of such termination liability because of the contractor's actual or anticipated failure to perform its contractual obligations.

(Pub. L. 102-588, title V, §507, Nov. 4, 1992, 106 Stat. 5127.)

“ADMINISTRATOR” DEFINED

Administrator means Administrator of the National Aeronautics and Space Administration, see section 102(f) of Pub. L. 102-588, 106 Stat. 5110.

§ 5807. Use of Government facilities

(a) Authority

Federal agencies, including the National Aeronautics and Space Administration and the Department of Defense, may allow non-Federal entities to use their space-related facilities on a reimbursable basis if the Administrator, the Secretary of Defense, or the appropriate agency head determines that—

(1) the facilities will be used to support commercial space activities;

(2) such use can be supported by existing or planned Federal resources;

(3) such use is compatible with Federal activities;

(4) equivalent commercial services are not available on reasonable terms; and

(5) such use is consistent with public safety, national security, and international treaty obligations.

In carrying out paragraph (5), each agency head shall consult with appropriate Federal officials.

(b) Reimbursement payment

(1) The reimbursement referred to in subsection (a) of this section may be an amount equal to the direct costs (including salaries of United States civilian and contractor personnel) incurred by the United States as a result of the use of such facilities by the private sector. For the purposes of this paragraph, the term “direct costs” means the actual costs that can be unambiguously associated with such use, and would not be borne by the United States Government in the absence of such use.

(2) The amount of any payment received by the United States for use of facilities under this subsection shall be credited to the appropriation from which the cost of providing such facilities was paid.

(Pub. L. 102-588, title V, §508, Nov. 4, 1992, 106 Stat. 5128.)

“ADMINISTRATOR” DEFINED

Administrator means Administrator of the National Aeronautics and Space Administration, see section 102(f) of Pub. L. 102-588, 106 Stat. 5110.

§ 5808. Commercial Space Achievement Award

(a) Establishment

There is established a Commercial Space Achievement Award. The award shall consist of a medal, which shall be of such design and materials and bear such inscriptions as determined by the Secretary of Commerce. A cash prize may also be awarded if funding for the prize is available under subsection (d) of this section.

(b) Criteria for award

The Secretary of Commerce shall periodically make, and the Chairman of the National Space Council shall present, awards under this section to individuals, corporations, corporate divisions, or corporate subsidiaries substantially engaged in commercial space activities who in the opinion of the Secretary of Commerce best meet the following criteria:

(1) For corporate entities, at least one-half of the revenues from the space-related activities of the corporation, division, or subsidiary is derived from sources other than the United States Government.

(2) The activities and achievements of the individual, corporation, division, or subsidiary have substantially contributed to the United States gross national product and the stature of United States industry in international markets, with due consideration for both the economic magnitude and the technical quality of the activities and achievements.

(3) The individual, corporation, division, or subsidiary has substantially advanced space technology and space applications directly related to commercial space activities.

(c) Limitations

No individual or corporate entity may receive an award under this section more than once every 5 years.

(d) Funding for award

The Secretary of Commerce may seek and accept gifts of money from public and private sources for the purpose of making cash prize awards under this section. Such money may be used only for that purpose, only such money may be used for that purpose, and the Secretary of Commerce shall make publicly available an itemized list of the sources of such funding.

(Pub. L. 102-588, title V, §510, Nov. 4, 1992, 106 Stat. 5129.)

CHAPTER 85—ARMORED CAR INDUSTRY RECIPROCITY

Sec.	
5901.	Findings.
5902.	State reciprocity of weapons licenses issued to armored car company crew members.
	(a) In general.
	(b) Minimum State requirements.
5903.	Relation to other laws.
5904.	Definitions.

§ 5901. Findings

Congress finds that—

(1) the distribution of goods and services to consumers in the United States requires the free flow of currency, bullion, securities, food stamps, and other items of unusual value in interstate commerce;

(2) the armored car industry transports and protects such items in interstate commerce, including daily transportation of currency and food stamps valued at more than \$1,000,000,000;

(3) armored car crew members are often subject to armed attack by individuals attempting to steal such items;

(4) to protect themselves and the items they transport, such crew members are armed with weapons;

(5) various States require both weapons training and a criminal record background check before licensing a crew member to carry a weapon; and

(6) there is a need for each State to reciprocally accept weapons licenses of other States for armored car crew members to assure the free and safe transport of valuable items in interstate commerce.

(Pub. L. 103-55, §2, July 28, 1993, 107 Stat. 276.)

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-287, §1, Oct. 27, 1998, 112 Stat. 2776, provided that: "This Act [amending section 5902 of this title and enacting provisions set out as a note under section 5902 of this title] may be cited as the 'Armored Car Reciprocity Amendments of 1998'."

SHORT TITLE

Section 1 of Pub. L. 103-55 provided that: "This Act [enacting this chapter] may be cited as the 'Armored Car Industry Reciprocity Act of 1993'."

§ 5902. State reciprocity of weapons licenses issued to armored car company crew members

(a) In general

If an armored car crew member employed by an armored car company—

(1) has in effect a license issued by the appropriate State agency (in the State in which such member is primarily employed by such company) to carry a weapon while acting in the services of such company in that State, and such State agency meets the minimum requirements under subsection (b) of this section; and

(2) has met all other applicable requirements to act as an armored car crew member in the State in which such member is primarily employed by such company,

then such crew member shall be entitled to lawfully carry any weapon to which such license relates and function as an armored car crew member in any State while such member is acting in the service of such company.

(b) Minimum State requirements

A State agency meets the minimum State requirements of this subsection if—

(1) in issuing an initial weapons license to an armored car crew member described in subsection (a) of this section, the agency determines to its satisfaction that—

(A) the crew member has received classroom and range training in weapons safety and marksmanship during the current year

from a qualified instructor for each weapon that the crew member will be licensed to carry; and

(B) the receipt or possession of a weapon by the crew member would not violate Federal law, determined on the basis of a criminal record background check conducted during the current year;

(2) in issuing a renewal of a weapons license to an armored car crew member described in subsection (a) of this section, the agency determines to its satisfaction that—

(A) the crew member has received continuing training in weapons safety and marksmanship from a qualified instructor for each weapon that the crew member is licensed to carry; and

(B) the receipt or possession of a weapon by the crew member would not violate Federal law, as determined by the agency; and

(3) in issuing a weapons license under paragraph (1) or paragraph (2), as the case may be—

(A) the agency issues such license for a period not to exceed 2 years; or

(B) the agency issues such license for a period not to exceed 5 years in the case of a State that enacted a State law before October 1, 1996, that provides for the issuance of an initial weapons license or a renewal of a weapons license, as the case may be, for a period not to exceed 5 years.

(Pub. L. 103-55, §3, July 28, 1993, 107 Stat. 276; Pub. L. 105-287, §2, Oct. 27, 1998, 112 Stat. 2776.)

AMENDMENTS

1998—Subsec. (a). Pub. L. 105-287, §2(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: "If an armored car crew member employed by an armored car company has in effect a license issued by the appropriate State agency (in the State in which such member is primarily employed by such company) to carry a weapon while acting in the services of such company in that State, and such State agency meets the minimum State requirements under subsection (b) of this section, then such crew member shall be entitled to lawfully carry any weapon to which such license relates in any State while such crew member is acting in the service of such company."

Subsec. (b). Pub. L. 105-287, §2(b), amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: "A State agency meets the minimum State requirements of this subsection if in issuing a weapons license to an armored car crew member described in subsection (a) of this section, the agency requires the crew member to provide information on an annual basis to the satisfaction of the agency that—

"(1) the crew member has received classroom and range training in weapons safety and marksmanship during the current year by a qualified instructor for each weapon that the crew member is licensed to carry; and

"(2) the receipt or possession of a weapon by the crew member would not violate Federal law, determined on the basis of a criminal record background check conducted during the current year."

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-287, §3, Oct. 27, 1998, 112 Stat. 2777, provided that: "The amendments made by section 2 [amending this section] shall take effect 30 days after the date of the enactment of this Act [Oct. 27, 1998]."

§ 5903. Relation to other laws

This chapter shall supersede any provision of State law (or the law of any political subdivision of a State) that is inconsistent with this chapter.

(Pub. L. 103-55, § 4, July 28, 1993, 107 Stat. 277.)

§ 5904. Definitions

As used in this chapter:

(1) The term “armored car crew member” means an individual who provides protection for goods transported by an armored car company.

(2) The term “armored car company” means a company—

(A) subject to regulation under subchapter I of chapter 135 of title 49; and

(B) is¹ registered under chapter 139 of such title, in order to engage in the business of transporting and protecting currency, bullion, securities, precious metals, food stamps, and other articles of unusual value in interstate commerce.

(3) The term “State” means any State of the United States or the District of Columbia.

(Pub. L. 103-55, § 5, July 28, 1993, 107 Stat. 277; Pub. L. 104-88, title III, § 336, Dec. 29, 1995, 109 Stat. 954.)

AMENDMENTS

1995—Par. (2). Pub. L. 104-88 substituted “subchapter I of chapter 135” for “subchapter II of chapter 105” in subpar. (A) and “is registered under chapter 139” for “holding the appropriate certificate, permit, or license issued under subchapter II of chapter 109” in subpar. (B).

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of Title 49, Transportation.

CHAPTER 86—CHILDREN’S BICYCLE HELMET SAFETY

Sec.	
6001.	Establishment of program.
	(a) In general.
	(b) Federal share.
6002.	Purposes for grants.
6003.	Report to Congress.
6004.	Standards.
	(a) In general.
	(b) Interim standards.
	(c) Final standard.
	(d) Failure to meet standards.
6005.	Authorization of appropriations.
6006.	“Approved bicycle helmet” defined.

§ 6001. Establishment of program**(a) In general**

The Administrator of the National Highway Traffic Safety Administration may, in accordance with section 6002 of this title, make grants to States, political subdivisions of States, and nonprofit organizations for programs that require or encourage individuals under the age of 16 to wear approved bicycle helmets. In making those grants, the Administrator shall allow

grantees to use wide discretion in designing programs that effectively promote increased bicycle helmet use.

(b) Federal share

The amount provided by a grant under this section shall not exceed 80 percent of the cost of the program for which the grant is made. In crediting the recipient State, political subdivision, or nonprofit organization for the non-Federal share of the cost of such a program (other than planning and administration), the aggregate of all expenditures made by such State, political subdivision, or nonprofit organization (exclusive of Federal funds) for the purposes described in section 6002 of this title (other than expenditures for planning and administration) shall be available for such crediting, without regard to whether such expenditures were actually made in connection with such program.

(Pub. L. 103-267, title II, § 202, June 16, 1994, 108 Stat. 726.)

SHORT TITLE

Section 201 of title II of Pub. L. 103-267 provided that: “This title [enacting this chapter] may be cited as the ‘Children’s Bicycle Helmet Safety Act of 1994.’”

§ 6002. Purposes for grants

A grant made under section 6001 of this title may be used by a grantee to—

(1) enforce a law that requires individuals under the age of 16 to wear approved bicycle helmets on their heads while riding on bicycles;

(2) provide assistance, to individuals under the age of 16 who may not be able to afford approved bicycle helmets, to enable such individuals to acquire such helmets;

(3) develop and administer a program to educate individuals under the age of 16 and their families on the importance of wearing such helmets in order to improve bicycle safety; or

(4) carry out any combination of the activities described in paragraphs (1), (2), and (3).

The Administrator shall review grant applications for compliance with this section prior to awarding grants.

(Pub. L. 103-267, title II, § 203, June 16, 1994, 108 Stat. 727.)

§ 6003. Report to Congress

Not later than May 1, 1997, the Administrator of the National Highway Traffic Safety Administration shall report to Congress on the effectiveness of the grant program established by section 6001 of this title. The report shall include a list of grant recipients, a summary of the types of programs implemented by the grantees, and any recommendation by the Administrator regarding how the program should be changed in the future.

(Pub. L. 103-267, title II, § 204, June 16, 1994, 108 Stat. 727.)

§ 6004. Standards**(a) In general**

Bicycle helmets manufactured 9 months or more after June 16, 1994, shall conform to—

¹ So in original. The word “is” probably should not appear.